



FEB 08 2001

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In re Application of	:	
FORSSMANN, et al.	:	DECISION ON RENEWED
U.S. Application No.: 09/582,107	:	
PCT No.: PCT/EP98/08405	:	PETITION UNDER
Int. Filing Date: 22 December 1998	:	
Priority Date: 22 December 1997	:	37 CFR 1.47(a)
Attorney Docket No.: P65679US0	:	
For: INSULIN-LIKE GROWTH FACTOR BINDING	:	
PROTEIN FRAGMENTS AND THE	:	
UTILIZATION THEREOF	:	

This decision is in response to applicant's "Renewed Petition Under 37 CFR 1.47(a)" filed 07 November 2001 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 07 May 2001, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a) to accept the application without the signature of joint inventor Hossein Mostafavi. Applicant was afforded two months to file any request for reconsideration.

On 07 November 2001, applicant responded with the present renewed petition accompanied by a petition for a four-month extension of time and a check in the amount of \$720.00 as payment of the small entity four-month extension of time fee. With the filing of the petition for a four-month extension of time and payment of the appropriate fee, the renewed petition is considered to be timely filed.

DISCUSSION

As discussed in the decision mailed 07 May 2001, a petition under 37 CFR 1.47(a) must be accompanied by: (1) the requisite \$130 petition fee required by 37 CFR 1.17(I); (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort; (3) a statement of the last known address of the missing joint inventor; and (4) an oath or declaration executed by each of the signing joint inventors on their behalf and on behalf of the non-signing joint inventor(s). Applicant previously satisfied items 1, 3, and 4 above.

With the filing of the present renewed petition and accompanying papers, applicant has provided sufficient proof that the application papers were mailed to Mr. Mostafavi and returned.

Application No.: 09/582,107

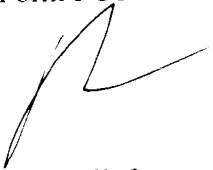
In addition, applicant has provided materials showing that various attempts were made through the use of telephone and Internet directories to find a current address for Mr. Mostafavi, to no avail. In light of the submission of this new evidence it is proper to grant applicant's renewed petition at this time. Further, a review of the application file reveals that all of the requirements of 35 U.S.C. 371 for entry into the national stage in the United States have now been satisfied.

CONCLUSION

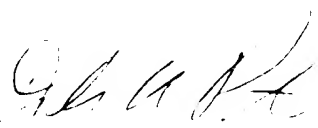
Applicant's petition under 37 CFR 1.47(a) is **GRANTED**.

This application will be given an international application filing date of 22 December 1998 and a date of **10 August 2000** under 35 U.S.C. 371.

This application is being returned to the DO/EO/US for processing in accordance with this decision, namely, the mailing of a NOTIFICATION OF ACCEPTANCE UNDER 35 U.S.C. 371 (Form PCT/DO/EO/903).



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